

ERCB Persistent Noncompliance Criteria 2009

Applications Branch

- Facilities Applications Group
- Audit Section

Compliance Category: Participant Involvement					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	180-day rolling window	60 days
	Monitor	Must intervene and educate	2		
	Low	May intervene and educate	1		
Compliance Category: Facilities Technical					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	180-day rolling window	60 days
	Monitor	Must intervene and educate	2		
	Low	May intervene and educate	1		
Compliance Category: Pipelines/Pipeline Installations Technical					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	180-day rolling window	60 days
	Monitor	Must intervene and educate	2		
	Low	May intervene and educate	1		

Compliance Category: Wells Technical					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	180-day rolling window	60 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Applications Branch

- Resources Applications Group
- Enforcement & Surveillance Section and Coal Section

Compliance Category: Commingling					
Low Risk	High Risk				
Calendar Review	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3%	365 th day	180 days
	Monitor	Must intervene and educate	2 – 2.99%		
Low	May intervene and educate	1 – 1.99%			

Compliance Category: Control Wells					
Low Risk	High Risk				
Calendar Review	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3%	365 th day	180 days
	Monitor	Must intervene and educate	2 – 2.99%		
Low	May intervene and educate	1 – 1.99%			

Compliance Category: Ground Water Protection					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	365-day rolling window	180 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Compliance Category: Spacing						
Low Risk	High Risk					
Calendar Review	Option 1	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
		Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	365-day rolling window	180 days
		Monitor	Must intervene and educate	2		
		Low	May intervene and educate	1		
Compliance Category: Production without Common Ownership						
Low Risk	High Risk					
Calendar Review	Option 1	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
		Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	365-day rolling window	180 days
		Monitor	Must intervene and educate	2		
		Low	May intervene and educate	1		
Compliance Category: Equity Orders (Common Carrier, Common Processor, Common Purchaser, Compulsory Pooling, Rateable Take, Turner Valley Units)						
Low Risk	High Risk					
Calendar Review	Option 1	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
		Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥2	365-day rolling window	180 days
		Monitor	Must intervene and educate	1		
		Low	May intervene and educate	N/A		

Compliance Category: Injection/Disposal

Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	365-day rolling window	180 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Compliance Category: Concurrent Production

Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	365-day rolling window	180 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Compliance Category: Gas Production in the Defined Oil Sands Strata

Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	365-day rolling window	180 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Compliance Category: Gas Allowables

Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	1825-day (5 year) rolling window	1095 days (3 years)
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Compliance Category: Acid Gas Injection/Disposal

Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥2	365-day rolling window	180 days
	Monitor	Must intervene and educate	1		
Low	May intervene and educate	N/A			

Compliance Category: Gas Storage

Low Risk	High Risk				
Calendar Review	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3%	365 th day or at the conclusion of an audit	180 days or must improve at next audit (as applicable)
	Monitor	Must intervene and educate	2 – 2.99%		
Low	May intervene and educate	1 – 1.99%			

Compliance Category: Gas Cycling

Low Risk	High Risk				
Calendar Review	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3%	365 th day or at the conclusion of an audit	180 days or must improve at next audit (as applicable)
	Monitor	Must intervene and educate	2 – 2.99%		
Low	May intervene and educate	1 – 1.99%			

Compliance Category: Enhanced Recovery Schemes

Low Risk	High Risk				
Calendar Review	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3%	365 th day or at the conclusion of an audit	180 days or must improve at next audit (as applicable)
	Monitor	Must intervene and educate	2 – 2.99%		
Low	May intervene and educate	1 – 1.99%			

Compliance Category: Coalbed Methane Schemes

Low Risk	High Risk				
Calendar Review	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3%	365 th day or at the conclusion of an audit	180 days or must improve at next audit (as applicable)
	Monitor	Must intervene and educate	2 – 2.99%		
Low	May intervene and educate	1 – 1.99%			

Compliance Category: Primary In Situ Oil Sands Schemes					
Low Risk	High Risk				
Calendar Review	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3%	365 th day or at the conclusion of an audit	180 days or must improve at next audit (as applicable)
	Monitor	Must intervene and educate	2 – 2.99%		
Low	May intervene and educate	1 – 1.99%			
Compliance Category: Experimental In Situ Oil Sands Schemes					
Low Risk	High Risk				
Calendar Review	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3%	365 th day or at the conclusion of an audit	180 days or must improve at next audit (as applicable)
	Monitor	Must intervene and educate	2 – 2.99%		
Low	May intervene and educate	1 – 1.99%			
Compliance Category: Commercial In Situ Oil Sands Schemes					
Low Risk	High Risk				
Calendar Review	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3%	365 th day or at the conclusion of an audit	180 days or must improve at next audit (as applicable)
	Monitor	Must intervene and educate	2 – 2.99%		
Low	May intervene and educate	1 – 1.99%			

Compliance Category: In Situ Waterflood Schemes					
Low Risk	High Risk				
Calendar Review	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3%	365 th day or at the conclusion of an audit	180 days or must improve at next audit (as applicable)
	Monitor	Must intervene and educate	2 – 2.99%		
Low	May intervene and educate	1 – 1.99%			
Compliance Category: Industrial Development Permits					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	365-day rolling window	180 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			
Compliance Category: Bitumen Upgraders					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	365-day rolling window	180 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Compliance Category: Coal Mines					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	365-day rolling window	180 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Compliance Category: Coal Preparation Plants					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	365-day rolling window	180 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Compliance, Environment and Operations Branch
Operations Group

- **Production Operations Section**

Compliance Category: Production Measurement and Reporting					
Low Risk	High Risk				
Bi-Annual Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	90-day rolling window	365 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Compliance Category: Glycol Dehydrator Benzene Emissionsⁱ					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	365-day rolling window	365 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			
Compliance Category: Flaring, Incinerating and Flaring Auditsⁱⁱ					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥2	365-day rolling window	180 days
	Monitor	Must intervene and educate	1		
Low	May intervene and educate	N/A			
Compliance Category: Sulphur Recovery Guidelines					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	365-day rolling window	365 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

ⁱ On January 1, 2009, Directive 060 Economic Evaluation Audits compliance category changed its name to Flaring, Incinerating and Venting Audits.

ⁱⁱ The Glycol Dehydrator Benzene Emissions compliance category was moved from Environment Services section of Environment Group to the Production Operations Section of the Operation Group.

- **Well Operations Section**

Compliance Category: Well Abandonment Audits					
Low Risk	High Risk				
Calendar Review	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥7%	annual review	60 days
	Monitor	Must intervene and educate	5 – 6.99%		
Low	May intervene and educate	3 – 4.99%			
Compliance Category: Packer Testing Audits					
Low Risk	High Risk				
Calendar Review	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥7%	annual review	60 days
	Monitor	Must intervene and educate	5 – 6.99%		
Low	May intervene and educate	3 – 4.99%			
Compliance Category: Suspended Well Audits					
Low Risk	High Risk				
Calendar Review	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥7%	annual review	60 days
	Monitor	Must intervene and educate	5 – 6.99%		
Low	May intervene and educate	3 – 4.99%			

Compliance Category: Surface Casing Vent Flow/Gas Migration Audits					
Low Risk	High Risk				
Calendar Review	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥7%	annual review	60 days
	Monitor	Must intervene and educate	5 – 6.99%		
Low	May intervene and educate	3 – 4.99%			

Compliance Category: Well Casing Failure Audits					
Low Risk	High Risk				
Calendar Review	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥7%	annual review	60 days
	Monitor	Must intervene and educate	5 – 6.99%		
Low	May intervene and educate	3 – 4.99%			

Corporate Compliance Group

- **Liability Management Section**

Compliance Category: Noncompliance with Liability Management Program Requirements	
Low Risk	High Risk
Calendar Review	Not applicable

Compliance Category: Orphan Levy	
Low Risk	High Risk
2 Year Review	Not applicable

Environment Group

- **Waste and Storage Section**

Compliance Category: Oilfield Waste Receiver Audits					
Low Risk	High Risk				
At the conclusion of an audit	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥10%	At the conclusion of an audit	180 days
	Monitor	Must intervene and educate	8 – 9.99%		
Low	May intervene and educate	5 – 7.99%			

Compliance Category: Oilfield Waste Generator Audits					
Low Risk	High Risk				
At the conclusion of an audit	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥10%	At the conclusion of an audit	180 days
	Monitor	Must intervene and educate	8 – 9.99%		
Low	May intervene and educate	5 – 7.99%			
Compliance Category: Drilling Waste Audits					
Low Risk	High Risk				
At the conclusion of an audit	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥10%	At the conclusion of an audit	180 days
	Monitor	Must intervene and educate	8 – 9.99%		
Low	May intervene and educate	5 – 7.99%			
Compliance Category: Material Storage Audits					
Low Risk	High Risk				
At the conclusion of an audit	Option 2				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	10%	At the conclusion of an audit	180 days
	Monitor	Must intervene and educate	8 – 9.99%		
Low	May intervene and educate	5 – 7.99%			

Public Safety/Field Surveillance Branch

Field Surveillance Group

Compliance Category: Drilling Operations					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	90-day rolling window	60 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			
Compliance Category: Well Servicing					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	90-day rolling window	60 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			
Compliance Category: Oil Facilities					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	90-day rolling window	60 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Compliance Category: Gas Facilities					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	90-day rolling window	60 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			
Compliance Category: Pipelines					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	90-day rolling window	60 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			
Compliance Category: Waste Facilities					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	90-day rolling window	60 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Compliance Category: Drilling Waste					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	90-day rolling window	60 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Compliance Category: Well Site Inspections					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	90-day rolling window	60 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Public Safety Group

- **Emergency Planning & Assessment Section**

Compliance Category: General ERP Requirements					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	90-day rolling window	60 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Compliance Category: Technical ERP Requirements					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	90-day rolling window	60 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Fort McMurray

Compliance Category: Mineable Oil Sands					
Low Risk	High Risk				
Calendar Review	Option 1				
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	365-day rolling window	365 days
	Monitor	Must intervene and educate	2		
Low	May intervene and educate	1			

Information and Systems Services Branch

Information Collection and Dissemination Group

- **Well Test Data Section**

Compliance Category: Well Test Reporting of Pressure and Deliverability Testing	
Low Risk	High Risk
Calendar Review	Not Applicable

- **Geological Data Section**

Compliance Category: Well Drilling Log Reporting	
Low Risk	High Risk
Calendar Review	Not Applicable

- **Production/Well Data Services Section**

Compliance Category: Well Drilling and Completions Data Requirement	
Low Risk	High Risk
Calendar Review	Not Applicable
Compliance Category: Directional Surveys	
Low Risk	High Risk
Calendar Review	Not Applicable
Compliance Category: Monthly Volumetric Reporting	
Low Risk	High Risk
Calendar Review	Not Applicable
Compliance Category: Well Status Reporting	
Low Risk	High Risk
Calendar Review	Not Applicable

Resources Branch

Economics Group

Compliance Category: Gas Removal Permits	
Low Risk	High Risk
Calendar Review	Not Applicable
Compliance Category: Industrial and Manufacturing Operations Statements	
Low Risk	High Risk
Calendar Review	Not Applicable

Geology and Reserves Group

- **Reserves & Allowables Section**

Compliance Category: Oil Overproduction																			
Low Risk	High Risk																		
Not Applicable	Option 1																		
	<table border="1"> <thead> <tr> <th>Status</th> <th>EUB Action</th> <th>Noncompliance Number Criteria</th> <th>Review Period</th> <th>Operate in Compliance</th> </tr> </thead> <tbody> <tr> <td>Persistent</td> <td>High Risk Noncompliance Action 2 and must intervene and educate</td> <td>≥3</td> <td rowspan="3">365-day rolling window</td> <td>90 days</td> </tr> <tr> <td>Monitor</td> <td>Must intervene and educate</td> <td>2</td> <td></td> </tr> <tr> <td>Low</td> <td>May intervene and educate</td> <td>1</td> <td></td> </tr> </tbody> </table>	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	365-day rolling window	90 days	Monitor	Must intervene and educate	2		Low	May intervene and educate	1	
	Status	EUB Action	Noncompliance Number Criteria	Review Period	Operate in Compliance														
	Persistent	High Risk Noncompliance Action 2 and must intervene and educate	≥3	365-day rolling window	90 days														
Monitor	Must intervene and educate	2																	
Low	May intervene and educate	1																	